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PATENT

Packet: 71418 US02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Armentrout et al.

Serial No.: 10/804,784

Group Art Unit: 1711

Filed: March 19, 2004

Examiner: J. Mullis

For: INHERENTLY ELECTROSTATIC DISSIPATING BLOCK COPOLYMER
COMPOSITIONS

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REPLY TO RESTRICTION REQUIREMENT

In response to the restriction requirement set forth in the Office Action mailed May 3, 2005, Applicants elect the claims of Group I (claims 1-22), drawn to a product. However, Applicants' election is made with traverse.

MPEP § 803 states that an application may be properly restricted to one or more claimed inventions only if (1) the inventions are independent or distinct as claimed, and (2) there is a serious burden on the Examiner if restriction is not required. Thus, even if appropriate reasons exist for requiring restriction, such a requirement should not be made unless there is an undue burden on the Examiner to examine all the claims in a single application. Here, it would appear that the searches involved for the claims would be coextensive. As such, it is not believed to be a serious burden on the Examiner to examine all the claims.

Accordingly, for at least all of the reasons set forth above, withdrawal of the restriction requirement is requested.

In response to the election of species requirement set forth in the Official Action, Applicants elect polyethylene glycol from claim 6, linear polyester as polymer of the hard segment (claim 10), phthalic anhydride from claim 17, and polyesters from claim 21. Elected claims readable on the elected species include claims 1-10 and 14-22.

MPEP § 809.02(c) states that when a generic claim is subsequently found to be allowable, and not more than a reasonable number of additional species are claimed, Applicants should be advised of the allowable generic claim and that the claims drawn to the non-elected species are no longer withdrawn since they are fully embraced by the allowed generic claim. Thus, since claims 1-10 and 14-22 are generic, and Applicants have not claimed more than a reasonable number of species, an indication by the Examiner that claims drawn to the non-elected invention are no longer withdrawn is requested.

Respectfully submitted,

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June 1, 2005
Date

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Kristi Deff

6/2/05
Date